

Co., 967 F.2d 145, 148 (5th Cir. 1992) (quoting *Dickinson v. Petroleum Conversion Corp.*, 338 U.S. 507, 511 (1950)). XL Specialty does not argue that it would be subjected to injustice should the Court deny its Motion, and the Court finds that injustice is unlikely to result from the denial of the Motion. Furthermore, the Court finds that entry of final judgment would potentially result in piecemeal appeals of claims that arose out of the same set of facts. Therefore, the Court finds that XL Specialty is not entitled to final judgment pursuant to FED. R. CIV. P. 54(b).

IT IS THEREFORE ORDERED AND ADJUDGED that the Motion for Final Judgment [61] filed by Defendant, XL Specialty Insurance Co. is **DENIED**.

SO ORDERED AND ADJUDGED this the 7th day of December, 2007.

s/ *Louis Guirola, Jr.*
LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE